

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached herein are being deposited with the United States Postal Service on April 1, 2004 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number EV 381562951 US, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: _____

Sylvia Castillo

Attorney Docket No. LAM2P475

First Named Inventor: WOODS et al.

U.S. PTO
10/817133

04/01/2004

UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))
(Continuation, Divisional or Continuation-in-part application)

Commissioner for Patents
Mail Stop: Patent Applications
Alexandria, VA 22313-1450

☐ Duplicate for
fee processing

Sir: This is a request for filing a patent application under 37 CFR § 1.53(b) in the name of inventors:
Carl Woods, Michael G.R. Smith, John Parks, James P. Garcia and John M. de Larios

For: PROXIMITY MENISCUS MANIFOLD

This application is a ☐ Continuation ☐ Divisional ☒ Continuation-in-part
of prior Application No.: 10/261,839, filed September 30, 2002 from which priority under 35 U.S.C.
§120 is claimed; and

Application Elements:

- ☒ 31 Pages of Specification, Claims and Abstract
- ☒ 11 Sheets of Informal Drawings
- ☒ 02 Pages of Combined Declaration and Power of Attorney
 - ☒ Newly executed (original or copy)
 - ☐ Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).
The entire disclosure of the prior application from which a copy of the declaration is
herein supplied is considered as being part of the disclosure of the accompanying
application and is hereby incorporated by reference therein.
 - ☐ Deletion of inventors Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

Accompanying Application Parts:

- ☒ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
- ☐ Combined Statement Under 37 C.F.R. §3.73(b) Establishing Right of Assignee to Take Action
and Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers
 - ☐ Appendix A ☐ Appendix B ☐ Appendix C
- ☒ Information Disclosure Statement
 - ☒ PTO-1449 ☒ Copies of IDS Citations (Foreign References)
- ☐ Preliminary Amendment (*New claims numbered after highest original claim in prior
application.*)
- ☒ Return Receipt Postcard
- ☒ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
- ☐ Other: _____

Extension of Time for Prior Pending Application

☐ A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained.)

Fee Calculation (37 CFR § 1.16)

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE FEE	OR	LARGE ENTITY RATE FEE
BASIC FEE			\$385 \$	OR	\$770 \$770.00
TOTAL CLAIMS	20 -20 = 00		x09= \$	OR	x18 = \$
INDEP CLAIMS	03 -03 = 00		x43 = \$	OR	x86 = \$
[] Multiple Dependent Claim Presented			\$145= \$	OR	\$290 = \$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			Total \$	OR	Total \$770.00

☒ Check No. 10752 in the amount of \$810.00 is enclosed.

☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-0805 (Order No. LAM2P475).

Request for Small Entity Status

☐ Applicant is entitled to small entity status.


General Authorization for Petition for Extension of Time (37 CFR §1.136)

☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-0805.(Order No. LAM2P475)

☒ Please send correspondence to the following address:

Edmund H. Mizumoto, Esq.
MARTINE & PENILLA, LLP
710 Lakeway Drive, Suite 170
Sunnyvale, CA 94085
Customer Number 25920

Date: April 1, 2004


Edmund H. Mizumoto, Esq.
Reg. No. 46,938

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<u>In re</u> the application of)	
WOODS et al.)	Examiner: Unassigned
Application No. [To be assigned])	Art Unit: Unassigned
Filed: April 1, 2004)	Docket No. LAM2P475
For: PROXIMITY MENISCUS MANIFOLD)	Date: April 1, 2004

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Signed: _____

Sylvia Castillo

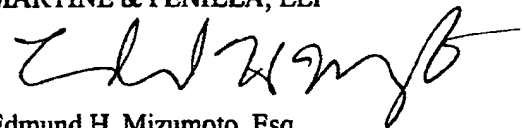
REQUEST AND CERTIFICATION UNDER 35 U.S.C. § 122(b)(2)(B)(i)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. § 122(b).

Respectfully submitted,
MARTINE & PENILLA, LLP


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Reg. No. 46,938

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